

THE INDIANA EMERGENCY RESPONSE COMMISSION
INDIANA EMERGENCY RESPONSE COMMITTEE (IERC) MEETING
Indiana Government Center-South Conference Room 1& 2
302 West Washington Street
Indianapolis, Indiana 46204
January 8, 2007 @ 1:00 p.m.

WELCOME AND INTRODUCTION

Cliff Wojtalewicz called the meeting to order and thanked everyone for attending. Mr. Wojtalewicz asked for everyone to introduce there selves.

ROLL CALL TO ORDER

Cliff Wojtalewicz — State Government
Dean Larson, PhD — Public
Sherman Greer — Local Government
Mike Bigler — State Government
Michael Pace — Industry
Carol Shelby — Public

Bruce Palin — State Government
Robert Reilley — Industry
Bernie Beier — Local Government
James Pridgen — Industry
Thomas Melville — State Government

The following Commission members were absent:

William Reed Jr. — Public

The following staff members were present:

Laura Steadham — IDEM
Mara Snyder — IDHS

Ian Ewusi — IDEM/IDHS
Dolly Watkins — IDHS

The following were members of the audience that were present:

Jeff Larimore, Marion County LEPC
Jim Plum, Jefferson County LEPC

Ross Wright, Purdue Emergency Management

QUORUM

The IERC Council Coordinator stated that a quorum was present.

CONSIDERATION OF THE MINUTES

Mr. Wojtalewicz called for consideration of the November 13, 2006 IERC meeting minutes. A motion was made by Mr. Dean Larson and seconded by Mr. Jim Pridgen to accept the minutes without amendment. Following no discussion, and after a unanimous vote, **MOTION CARRIED.**

REPORT OF THE CHAIR

Mr. Wojtalewicz stated that he had nothing to report at this time.

COMMITTEE REPORTS

Communications Committee — Mr. Sherman Greer, Chair

Mr. Greer reported that the Communications committee has not met. The Communications committee is going to start working with Dean Larson and the Policy committee and also the Alliance on the upcoming 2007 conference. The proposed dates for the EMAI conference are October 17, 18, 19, 20, 21, of 2007.

Technical Committee — James Pridgen, Chair

Mr. James Pridgen reported there is nothing coming before the board as far as a vote is concerned. Discussion was made about relocating the Spring retreat, due to a fire burning down the planned location in Nashville. Discussion continued to determine a new location, Mr. Larson suggested that the meeting be held in the City Hall in Columbus, Indiana. Mr. Pridgen stated that he would make the arrangements for either March or April of 2007. Mr. Pridgen stated that he would contact Dolly Watkins with the information.

Policy Committee — Dean Larson, Chair

Mr. Dean Larson reported that the policy committee had met and several items were discussed. The first item of discussion was a full time employee to assist Ian Ewusi in supporting the LEPCs. Mr. Wojtalewicz stated that in regards to the full-time position, a list of potential applicants has been received and interviews will be starting in the next two weeks. Mr. Larson suggested in the meantime, if there is a delay could additional funds be authorized to maintain temporary help. Mr. Wojtalewicz supported the idea and asked Mr. Ewusi if there were funds to support the temporary position.

A motion was made by Mr. Larson for another \$6,000 to fund the temporary position and it was seconded by Mr. Pridgen. Following no discussion, and after a unanimous vote, **MOTION CARRIED.**

The second item of discussion was the Memorandum of Understanding (MOU) that covers Mr. Ewusi is still pending with IDEM. Ms. Snyder commented that a draft has been circulated and there should be a final draft by Friday.

The third item of discussion was the carry over items from the November IERC meeting. The first is an organization called Nature's Way Animal Rescue and Rehabilitation located in Elkhart County. A letter they wrote to the IERC concerning that LEPC money could not be expended for their rescue services. After looking at this in length, it is believed that that LEPC funding could be used if the Elkhart County LEPC chooses to use this for training for animals involved in a HAZMAT incident. The letter received from the firm, spoke about various types of training they offered, so in response was a letter Elkhart County LEPC will be sent a letter explaining they can use this firm for HAZMAT purposes only, but were not going to respond to this firm directly, because this is an LEPC issue.

The last item of discussion was the opinion from the State Ethics Commission on whether or not the LEPCs are special state appointees. This creates questions on how we apply or how these rules are applied to the LEPCs. Here is what is proposed from the policy committee. One is to draft an e-mail that will be sent to all the LEPCs that public officials are not automatically excluded from LEPC

membership by compliance with the rules because of ethics language it used in political activity that elects officials, they feel like they cannot go on and there will be an attempt to clear this up. Mara Snyder agreed to draft two questions on our behalf to the Ethics Commission. The first that comes up if you read the rule strictly, it says that you cannot own and you must divulge any ownership in firms that do business with the state of Indiana. The question comes up, what if I'm in a mutual fund that has companies in a blind trust. In other words, someone may not know in good conscience that they in fact have partial ownership with a company that does business with the state. So that's the first question, what about those stocks? The second question will be a definition of what political activity means and what it means to be on duty as a clear definition is needed.

Training Committee — Bernie Beier

Mr. Bernie Beier reported that Training Committee did not meet. The only thing to report is that the LEPC Training Resource Guide is current. For the next meeting, Mr. Beier stated that he intends to increase that and match the list up with the training division so the rules to become a trainer for the IERC and LEPCs are consistent with all the training requirements in DHS. Mr. Ewusi asked about the Nature's Way and the Elkhart County LEPC being able to use them to train, Mr. Larson responded as long as it involves hazardous materials and that they have to apply to the training committee before they can do that.

Fiscal Committee — Bruce Palin

Mr. Bruce Palin reported that the Fiscal committee has not met. It was discussed that the Fiscal Committee needed to know what the operating budget was, and what the line items are. A meeting was recommended prior to the next meeting to establish an operating budget.

Mr. Wojtalewicz stated that is all the committee reports and asked for a motion to approve all reports as given. Mr. Greer made the motion to approve all the committee reports and it was seconded by Mr. Pace. Following no further discussion and after a unanimous vote, **MOTION CARRIED.**

OLD BUSINESS

None

NEW BUSINESS

William Poag from LaPorte County LEPC would like host the May 14th meeting be in LaPorte, Indiana. Mr. Larson made a formal motion to accept the invitation and it was seconded by Mr. Shelby. Following no further discussion and after a unanimous vote, **MOTION CARRIED.**

Mr. Greer stated he received a letter from the Evansville Fire Chief in reference to training the district HAZMAT team, wanting to know if they could use LEPC funds to do the training. Since this is a district type concept, would it be fair for Vanderburgh County LEPC to cover costs for the training of District 10 or should all the LEPCs contribute for District 10 training. Mr. Wojtalewicz proposed that the policy and/or technical committee look into this and report back at the next meeting. Mr. Greer made a motion and it was seconded by Mr. Bigler that the policy and technical committee will meet and make a recommendation at the next IERC meeting. Following no further discussion and after a unanimous vote, **MOTION CARRIED.**

The second letter Mr. Greer submitted was from the Evansville Fire Department on equipment purchased through Homeland Security Grants, asking if they could get funds through the LEPCs to keep equipment calibrated and maintained, if that was an expense that can be covered. There was discussion on who is responsible for service and maintenance of equipment. Mr. Wojtalewicz recommended looking at the by-laws to check if there was something preventing us from doing that. Mr. Ewusi stated that the LEPC was not going to be the sole source of income for the county. Because if the LEPC was going to purchase a piece of equipment another agency could pick up the other cost. Mr. Wojtalewicz proposed a motion to have the technical and policy committee take a look at this issue. Mr. Palin made a motion and it was seconded by Mr. Greer to have the technical and policy committee review the issue and make a recommendation at the next IERC meeting. Following no further discussion and after a unanimous vote, **MOTION CARRIED.**

REPORT OF THE FIELD COORDINATOR

Mr. Ian Ewusi reported that in the packets there is a report regarding the first-of-the-year summary of LEPC activity. Mr. Ewusi stated the he decided to compile a picture of what has been happening in 2004, 2005 and 2006. In 2004 there were 68 counties that were compliant. The second table is asking progress of compliance, and that was because of two counties, Rush and Vermillion have submitted documents. Mr. Ewusi stated that he is in the process of reviewing these documents to see if they are compliant. In 2005 there is Carroll and Pulaski Counties. In Pulaski County there is an issue with one of the member's health and has been unable to submit their plans. So there maybe four (4) counties not added to the 68 that he is showing in the 2005 requirements. For 2006 we have been able to get 53 counties totally compliant by the deadline which was end of last month. Mr. Ewusi also included an attachment that explains the progress of the compliance process of 24 LEPCs. 14 counties consistently turn out to be non-compliant; some counties that constantly show up are Benton, Fayette. These are counties that have not turned anything in. Mr. Greer and Mr. Ewusi discussed issues with Jefferson and Clark Counties. Jefferson County just hired a full time director and expect their LEPC to progress. Clark County has gone from being non-compliant in 2004 to compliant. Mr. Bigler requested from Mr. Ewusi a break down of reporting facilities in counties that are not participating. This could determine why counties like Blackford do not participate. Mr. Ewusi stated that Howard County only submitted minutes only and report on nothing else. There was other discussion on county exercises and meeting minutes and Mr. Ewusi explained that if an LEPC is not active they would not be funded.

MEMBERSHIP ROSTER APPROVALS

Mr. Ian Ewusi reported there were nine (9) LEPCs that submitted their 2007 rosters for approval:

Elkhart	Grant	Hamilton	Hancock	Huntington	Jennings
Lake	Montgomery	White			

Mr. Wojtalewicz made a motion to approve the submitted rosters, and Mr. Melville seconded it. Following no discussion and after a unanimous vote **MOTION CARRIED.**

LEPC COMMENTS

Mr. Jim Plum the Jefferson County LEPC discussed the difficulty in applying for and receiving funds for the HMEP grants. Mr. Plum stated other issues are the Tier II report and the difficulty of knowing who to submit the report to because the emails are incorrect. Ms. Steadham commented that IDEM tried to get the letters out by first of December and had to change the website to allow free submission this year and that happened at the end of the year and they changed the URL. Mr. Pridgen stated that at one time the grant process was not difficult and was very fluid. Mr. Wojtalewicz explained that IDHS is managing multiple grant years that change from year to year in a lot of regards to include HMEP. Mr. Larson brought up a question in relation to public accounting certification, and is that something that they legitimately spend funds on? Mr. Plum stated from earlier discussions, in the HMEP grant one of the requirements for equipment purchase includes adequate maintenance details to be developed to keep the property. The sub-grantee, which is the LEPC shall take physical inventory and do preventative maintenance and everything else. Some of the information being requested is to have LEPCs have a drug free workplace certification. Ms. Snyder explained that the drug free workplace certification is mandatory under the State Attorney General's Office and IDOA. Discussion continued with the distribution of HMEP grant money requirements, and the time it takes for the money to be released to the LEPCs. This issue would be brought up at the Fall Conference.

EPA COMMENTS

None

PUBLIC COMMENTS

None

NEXT MEETING

The next meeting will be in Indianapolis IGCS Conference Room 18 on Monday, March 12, 2007 at 1:00 P.M.

ADJOURNMENT

Mr. Wojtalewicz asked for any further comments. After no further comments Mr. Wojtalewicz adjourned the meeting.

Mr. Wojtalewicz thanked everyone again for coming and wished them safe trip home.

THE MEETING WAS ADJOURNED AT 2:07 P. M.

Cliff Wojtalewicz, IDHS Proxy Chair